

MM DOCKET NO. 92-316

EXHIBITS OF

RIVERTOWN COMMUNICATIONS

**ORIGINAL
RECEIVED**

JUL 14 1993

FEDERAL COMMUNICATIONS COMMISSION

State of Iowa)
) ss:
County of Des Moines)

AFFIDAVIT OF DAVID W. BROWN

I, David W. Brown, being first duly sworn, do hereby state
as follows:

✓

Federal Communications Commission	
Docket No.	92-516 Exhibit No. 4
Presented by	Riverton
Disposition	Identified ✓
	Received ✓
	Rejected
Reporter	Jell M. Yeatman
Date	6/22/93

Linders (who own the remaining 80% of KKSI) were aware of my Eldon petition, and he said that they were. I asked if they planned to file an application for Eldon, and he responded that he didn't know.

3. On August 10, 1991, Dale Wagner, a family friend who at that time was living at my mother's farm south of Eldon, advised me that approximately one week earlier, he had had dinner with Mr. McVey and my brother, Richard (who was also living with our mother, and was, and is, employed at Station KKSI), during which both Mark McVey and my brother advised him that the Linders were going to apply for the Eldon channel, and that they were going to use Carmela Sample as a "front" because of her Mexican heritage. (My brother and I are not close, and I have never spoken to, nor asked him, about the Sample application.)

4. On January 18, 1992, Mr. McVey was at KKMI-FM, Burlington, Iowa (where I was employed as Station Manager), to perform maintenance on its transmitter. Mr. McVey came to the KKMI studios, where I was waiting for him, at about 10 p.m. that evening. I showed him the new studio equipment which the owner (John Pritchard) had recently purchased. While we were at the studios, he brought up the subject of the Eldon applications of Rivertown Communications Co., Inc., and Sample Broadcasting Co., L.P., and stated that the Sample application had been filed to delay the grant of Rivertown's, or to prevent me from getting the Eldon station. He said that the Sample transmitter site had been

selected to the southeast of Eldon to avoid city-grade contour
overlap with KKSI-FM, to enable Bruce Linder to have ownership

Linder has a 20% interest in KKSI; that, if Sample is successful, they plan to simulcast KKSI-FM; and that, although he was not familiar with the details concerning the arrangement between Carmela Sample and Bruce Linder, he was certain that the Linders would not let her manage the Eldon station, because of her lack of management experience.

6. On April 9, 1992, Bill Collins (who was then and currently is employed at KKMI-FM, Burlington) advised me that in April 1991 (when Collins was employed by Station KKSI-FM), he had a conversation concerning my Eldon petition for rulemaking with Mark McVey. McVey had learned of my Eldon petition, and had said, in the presence of Bill Collins, that "we ought to get Carmela [Sample] to file on that frequency, and then what we ought to do is tie them together so you would have KKSI-FM from here to the Mississippi River." Mr. Collins further informed me on April 9, 1992, that approximately one week earlier (that is, about April 1, 1992), Mark McVey had telephoned him and again brought up the subject of tying KKSI and the Eldon station together, and that McVey also suggested that the Linders would "have a place for David Brown" if I decided to go in with them.

7. I have reviewed the Statement of Mark McVey dated May 10, 1993, submitted as Sample Exhibit 5. As with his April 23, 1992 Statement, submitted as an exhibit to Sample's Opposition to Rivertown's Petition to Deny, although he claims not to remember having made a number of the statements which I attributed to him

in my affidavit of April 14, 1992, he stops short of denying that he made those statements. In denying any specific knowledge concerning the intentions of Ms. Sample and Mr. Bruce Linder at

whether Mr. Pritchard or I might be interested in purchasing

KKSI: I had responded (on January 11) that I was not personally interested, noting my Eldon application, and that I would inquire of Mr. Pritchard as to his possible interest. On January 18. Mr.

State of Iowa)
)
County of Des Moines) ss:

AFFIDAVIT OF WILLIAM D. COLLINS

I, William D. Collins, being first duly sworn, do hereby
state as follows:

1. In April 1991, I was employed by Station KKSI-FM,
Eddyville, Iowa, where Mark McVey was (and is) the chief engineer
and part owner. McVey had apparently learned of the petition of
Rivertown to allocate Channel 282C3 to Eldon. In KKSI-FM's
Oskaloosa, Iowa studios, McVey said, in the presence of myself
and several other employees, that "we ought to get Carmela
[Sample] to file on that frequency, and then what we ought to do
is tie them together so you would have KKSI-FM from here to the
Mississippi River." At that time, I did not understand McVey to
be making a serious proposal.

2. I left the employ of KKSI-FM in August 1991, to accept
employment at Station KKMI-FM, Burlington, Iowa, where I continue
to be employed. On approximately April 1, 1992, Mark McVey
telephoned me at KKMI. The general tone of his call was to
inquire whether I would consider coming back to work for KKSI;
however, he brought up the subject of tying KKSI and the Eldon
station together, and suggested that the listeners would "have a
place for David Brown." These matters were rather loosely put by

✓

Federal Communications Commission	
Docket No.	97-316 Exhibit No. 5
Presented by	CURTOWN
Disposition	Identified ✓
	Received ✓
	Rejected
Reporter	Jeffrey M. Yeates
Date	6/22/83

Mr. McVey, and seemed more in the nature of "tossing ideas around" than any coherent plan of attack. My response was to express my gratitude for his consideration, but left the subject of possible employment by KCSI up in the air.

3. I mentioned McVey's call to David Brown on April 9.

Federal Communications Commission

Docket No. 96-316 Exhibit No. 6

Presented by Riverside

Disposition { Identified ☒

Received ☒

Rejected ☐

Reporter Jerry M. Guter

Date 6/23/93

Scale 1:250,000

NK 15-11

20 Statute Miles

30 Kilometers

15 Nautical Miles

00'

41°00'



Scale 1:250,000

NK 15-11

20 Statute Miles

0 5 10 15

0 5 10 15 20 25 30 Kilometers

0 5 10 15 Nautical Miles 00' 41'00"





RIVERTOWN
EXHIBIT 7

1306 W. County Road F, St. Paul, MN 55112
(612) 631-1338 • Fax (612) 631-3502

August 8, 1991

Mark McVey
620 Lake Road
Ottumwa, IA 52501

Dear Mr. McVey,

Enclosed you will find two new copies of an area to locate map for channel 282C3 at Eldon, IA. You will notice one copy is high lighted. This is the area in which to locate the transmitter site in order to meet FCC spacing requirements. Additionally, I have plotted the 70 dBu contour protection curve for KKSI in Eddyville. This plot takes into account the 70 dBu from KKSI and the approximate 70 dBu contour for a Class C3 station (100m, 25KW). Before I can guarantee that there will not be overlap of the 70 dBu contours, I will need to run the actual contours for the new station to make sure there is no overlap. I suggest this be completed before any land is secured.

Please contact me if you have any questions regarding this matter. Thank you.

Sincerely,

Garrett G. Lysiak, P.E.

Enclosure

Federal Communications Commission

Docket No. 92-516 Exhibit No. 7

Presented by Rivertown

Disposition { Identified ✓

Received ✓

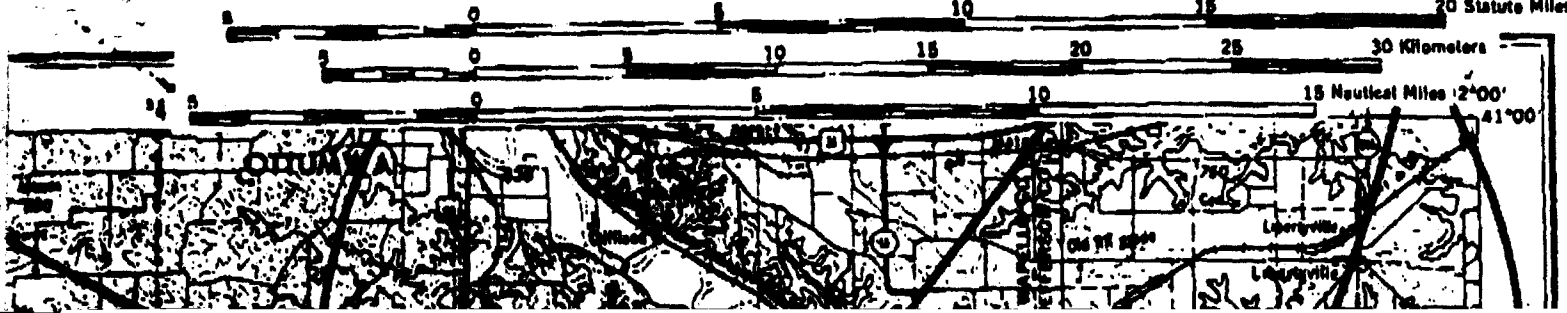
~~Admission~~ Rejected

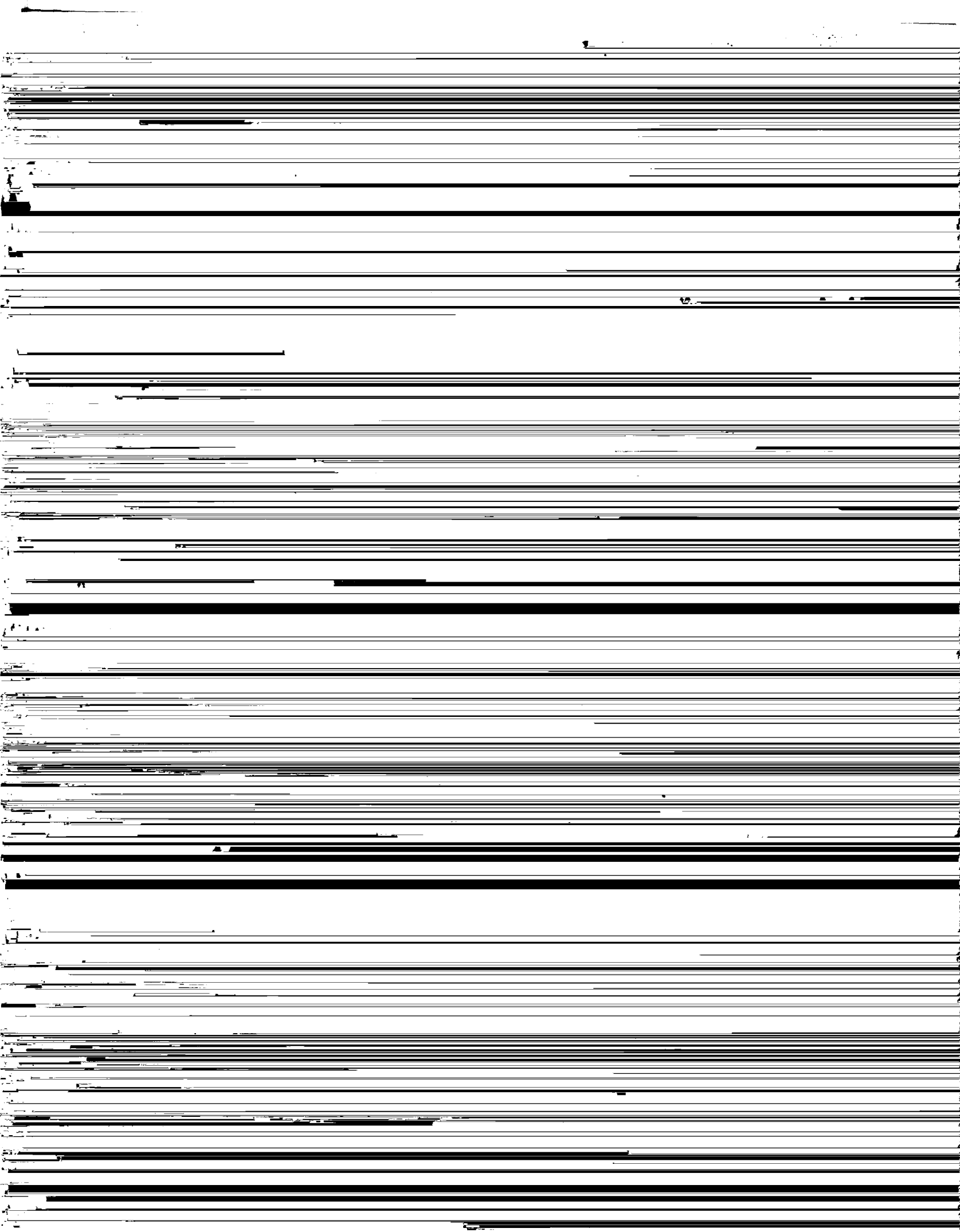
Reporter Jeffrey M. G. [Signature]

Date 9/23/93

Scale 1:250,000

NW 15-11
20 Statute Miles







OWL ENGINEERING, INC.

Consulting Communications Engineers

1306 W. COUNTY RD., F. STE. 106 (812) 831-1338
ARDEC HILLS, MN 55112

Invoice

DATE

May 14 93

INVOICE #

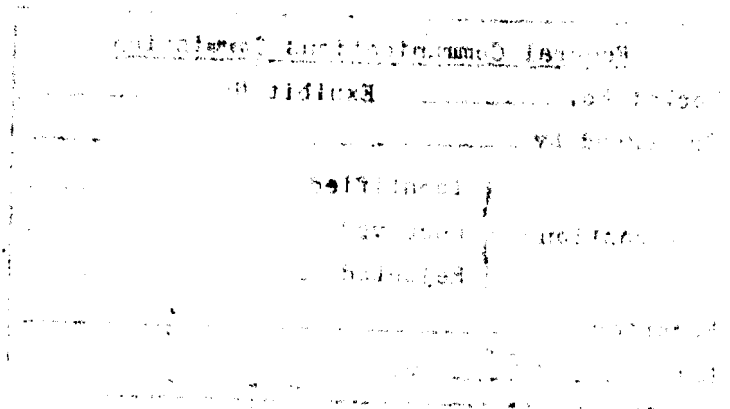
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**CARMELA SAMPLE-DAY
SAMPLE BROADCASTING CO
214 N WASHINGTON, APT 5
OTTUMWA, IA 52501**

Due on recpt

**AREA TO LOCATE MAP
07/30/93**

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	PREPARATION FM APPLICATION	1,800.00	1,800.00
168	PHOTOCOPIES	0.25	42.00
1	FEDERAL EXPRESS PAK	32.40	32.40
	MAP CHARGES	15.00	15.00
	CHECK #95 (9/28/91)	-2,089.40	-2,089.40
	OWL REFUND CHECK # 6960 (5/14/93) OWL ORIGINAL INVOICE DATED 9/23/91 INCLUDED A \$200 CHARGE FOR A 70 DBU OVERLAP STUDY WHICH WAS INCORRECT.	200.00	200.00

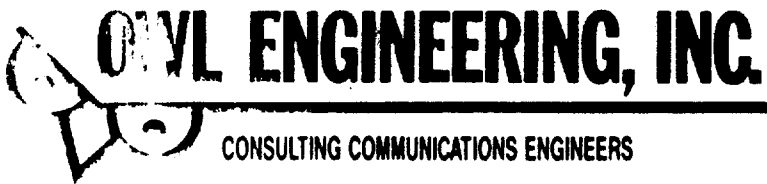


Thank you for your business.

Diane Stewart

TOTAL

0.00



OWL ENGINEERING, INC.

CONSULTING COMMUNICATIONS ENGINEERS

RIVERTOWN
EXHIBIT 8

1306 W. County Road F, St. Paul, MN 55112
(612) 631-1338 • Fax (612) 631-3502

RECEIVED

OUR PRACTICE CONTINUES TO GROW BY REFERRALS FROM OUR
SATISFIED CLIENTS. THANK YOU FOR RECOMMENDING US

JUL 14 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

September 23, 1991

Carmella Sample
Sample Broadcasting Company
407 North Court #1
Ottumwa, IA 52501

ELDON, IA

INVOICE

Professional Services:

7/30/91	Area to Locate	NO CHARGE
9/13/91	70 dBu Overlap Study	\$ 200.00
9/19/91	Preparation of FM Application	\$ 1,800.00

Itemized Expenses:

Photocopies	\$ 42.00	
Federal Express	\$ 32.40	
Map Charges	\$ 15.00	
	<hr/>	
	\$ 89.40	\$ 89.40

AMOUNT NOW DUE

\$ 2,089.40

Thank you
Diane S. Lysiak
Diane S. Lysiak

THANK YOU FOR YOUR BUSINESS. PLEASE PAY FROM THIS INVOICE.
DUE UPON RECEIPT.

"DRAFT BUDGET"
OF
SAMPLE BROADCASTING COMPANY, L.P.

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Federal Communications Commission

Docket No. 97-316 Exhibit No. 8

Presented by Rupert

Disposition { Identified /
Received /
Rejected /

Reporter Jeffrey M. Ventresca

Date 6/22/93

Federal Communications Commission

Docket No. 97-36 Exhibit No. 9

Presented by Riverton

Disposition { Identified /
Received _____
Rejected _____

Reporter John M. Gentry

Date 6/22/97

✓
Federal Communications Commission

Docket No. 92-316 Exhibit No. 10

Presented by Kivertown

Disposition { Identified ✓
Received _____
Rejected _____

Reporter Jeffrey M. Heaton

Date 6/22/93